

**RESOLUTION ESTABLISHING A PROCESS FOR PETITIONING AND ORDERING OF SIDEWALKS
INSIDE AND OUTSIDE THE DURHAM WALKS! PEDESTRIAN PLAN**

WHEREAS, the City of Durham has an adopted Durham Walks! Pedestrian Plan with an existing sidewalk construction priority and the City Council desires that a process be established for the petitioning and ordering of sidewalks that lie both within and outside of the adopted Durham Walks! Pedestrian Plan ("Plan"); and

WHEREAS, the City Council desires that the adopted Plan continue to be the priority and recognizes that the construction of sidewalks within the currently adopted plan is completed when funding is available and at no cost to the abutting and benefitting properties; and

WHEREAS, abutting property owners are often willing to absorb the cost or a portion of the cost to have sidewalks constructed sooner than the existing prioritized list might allow; and

WHEREAS, the City Council has expressed a desire to have a higher petition sufficiency threshold for sidewalk petitions; and

WHEREAS, there exists a list of previously ordered petitioned sidewalk improvements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DURHAM:

SECTION 1: That the maximum assessment rate for petitioned sidewalk projects that are within the adopted Durham Walks! Pedestrian Plan is set in the Fee Schedule and that the priority of such petitioned sidewalks may be revised within the existing Plan.

SECTION 2: That the City Manager shall have the authority to revise the priority of petitioned sidewalks within the Durham Walks! Pedestrian Plan.

SECTION 3: That petitions may be submitted for sidewalks outside the adopted Durham Walks! Pedestrian Plan, that Council may order the construction of these sidewalks, and that these sidewalks shall be assessed as provided in the Fee Schedule.

SECTION 4: That the City Manager will be charged with prioritizing the construction of petitioned sidewalks outside the Plan.

SECTION 5: That the City Manager will be charged with prioritizing the construction of the previously ordered sidewalks.

SECTION 6: That a petition for sidewalks is sufficient if both of the following criteria are met: 1. the legal owners of 70% of the lots with road frontage within the project limits must sign the petition; and 2. the petition must be signed by the legal owners of lots representing at least 70% of the length of the road frontage within the limits of the petitioned project.

SECTION 7: That any resolutions or policies in conflict with the provisions of this resolution are to the extent of such conflict repealed.

SECTION 8: This resolution shall be effective from and after passage and shall apply to any sufficient petition received by the City on or after April 1, 2013.